



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड १६]

शिमला, शनिवार, २० जनवरी, १९६८/३० पौष, १८८६

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२० जनवरी, १९६८/३० पौष, १८८६ को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं:—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. 6-58/67-Elec., dated the 14th January, 1968. No. 1-2/68-VS., dated the 15th January, 1968.	Election Department Vidhan Sabha Secretariat	Publication of the Election Commission of India Notification No. 56/67-V, dated the 19th December, 1967. Publication of—(1) the Himachal Pradesh Passengers and Goods Taxation (Amendment and Extension) Bill, 1968 (Bill No. 2 of 1968) as introduced in the Legislative Assembly on the 15th January, 1968. (2) The Himachal Pradesh Motor Spirit (Taxation of Sales) Bill, 1968 (Bill No. 3 of 1968) as introduced in the Legislative Assembly on the 15th January, 1968. (3) The Himachal Pradesh Entertainment Duty Bill, 1968 (Bill No. 4 of 1968) as introduced in the Legislative Assembly on the 15th January, 1968. (4) The Himachal Pradesh Entertainment Tax (Cinematograph Shows) Bill, 1968 (Bill No. 5 of 1968) as introduced in the Legislative Assembly on the 15th January, 1968. (5) The Himachal Pradesh Urban Immovable Property Tax Bill, 1968 (Bill No. 6 of 1968).

भाग १—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उप-राज्यपाल और हिमाचल बेंच आफ़ देहली हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

हिमाचल प्रदेश सरकार
INDUSTRIES DEPARTMENT
NOTIFICATIONS
Simla-4, the 8th January, 1968

No. 9-159/66-Ind. II.—In exercise of the powers conferred by section 3 of the Himachal Pradesh Khadi and

Village Industries Board Act, 1966, the Administrator, (Lieutenant Governor), Himachal Pradesh is pleased to order that with effect from the 8th of January, 1968, there shall be established for the purpose of the said Act a Board to be called the Himachal Pradesh Khadi and Village Industries Board.

Simla-4, the 8th January, 1968

No. 9-159/66-Ind. II.—In exercise of the powers conferred by sub-section (2) of section 4 of the Himachal Pradesh Khadi and Village Industries Board Act, 1966, the Administrator (Lieutenant Governor), Himachal Pradesh, after consultation with the Khadi and Village Industries Commission, is pleased to nominate the Minister Incharge Industries, Himachal Pradesh, a Member of the Himachal Pradesh Khadi and Village Industries Board, to be the Chairman of the said Board.

Simla-4, the 8th January, 1968

No. 9-159/66-Ind. II.—In exercise of the powers conferred by section 5 of the Himachal Pradesh Khadi and Village Industries Board Act, 1966, the Administrator (Lieutenant Governor), Himachal Pradesh after consultation with the Khadi and Village Industries Commission, is pleased to appoint Shri Bhai Sunder Singh, a Member of the Himachal Pradesh Khadi and Village Industries Board, to be the Vice-Chairman of the said Board.

Simla-4, the 8th January, 1968

No. 9-159/66-Ind. II.—In exercise of the powers conferred by section 6 of the Himachal Pradesh Khadi and Village Industries Board Act, 1966, the Administrator (Lieutenant Governor), Himachal Pradesh, after consultation with the Khadi and Village Industries Commission, is pleased to appoint Shri Ajba Ram Punatu, a Member of the Himachal Pradesh Khadi and Village Industries Board, to be the Secretary of the said Board.

Simla-4, the 8th January, 1968

No. 9-159-66-Ind. II.—In exercise of the powers conferred by sub-section (1) of section 4 of the Himachal Pradesh Khadi and Village Industries Board Act, 1966, the Administrator (Lieutenant Governor), Himachal Pradesh, after consultation with the Khadi and Village Industries Commission, is pleased to fix the number of Members of the Himachal Pradesh Khadi and Village Industries Board as eight (8) and is further pleased to appoint the following as non-official and official members thereof for a period of three years:—

Non-official members

1. Shri Bhai Sunder Singh.

2. Shri Ajba Ram Punatu.
3. Shri Mohan Lal Dutt.
4. Shrimti Sarla Sharma.
5. Shrimati Gaura Devi.

Official members

1. The Minister Incharge Industries, Himachal Pradesh.
2. Secretary Industries to the Himachal Pradesh Government.
3. Secretary Finance to the Himachal Pradesh Government.

By order,
P. K. MATTOO,
Secretary.

REVENUE DEPARTMENT NOTIFICATION

Simla-2, the 12th September, 1967

No. 2-142/66-Rev. I.—In exercise of the powers vested in him under section 2(c) of the Punjab Allocation of Ala Malkiat and Talukadari Rights Act, 1952, section 2(b) of the Punjab Occupancy Tenants (vesting of Proprietary Rights) Act, 1952, section 3(2) of the Punjab Restriction of Mortgaged Lands Act, 1938, section 27(1)(a) of the Punjab Land Revenue Act, (Act XVII of 1887) and section 105, sub-section 1(a) of the Punjab Tenancy Act, 1887, as in force in the territories transferred to Himachal Pradesh with effect from 1-11-1966 as a result of re-organisation and all other powers enabling him in this behalf the Lieutenant Governor, Himachal Pradesh, is pleased to specially empower Shri Kehar Singh, Sub-Divisional Officer (Civil), Kangra to perform the duties of Collector under the said Acts within the local limits of Kangra Sub-Division, District Kangra, Himachal Pradesh.

CORRIGENDUM

Simla-2, the 11th January, 1968

No. 2-142/66-Rev. I.—For the words "Allocation" and "Restriction" please read "Abolition" and "Restitution" respectively appearing in this Department Notification of even number, dated the 12th September, 1967.

By order,
S. N. BISARYA,
Under Secretary.

भाग २—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं
इत्यादि
शून्य

भाग ३—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश
के उप-राज्यपाल, हिमाचल बेंच आफ देहली हाई कोर्ट, फाइनेन्शल कमिश्नर तथा कमिश्नर आफ
इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

HOME DEPARTMENT

ORDER

Simla, 6th July, 1967

No. 14-13/62-Home.—In exercise of the powers conferred under section 4 of the Preventive Detention Act, 1950 (Central Act 4 of 1950), and all other powers enabling him in this behalf, the Lieutenant Governor, Himachal Pradesh is pleased to determine as follows the conditions of detention of persons, ordered under the said Act to be detained in any prison in Himachal

Pradesh, namely:—

ORDER

1. *Title.*—This Order may be called the Himachal Pradesh Detenus (Conditions of Detention) Order, 1967.

1. *Application.*—It shall apply to all persons detained by an order made under section 3 of the Preventive Detention Act, 1950.

2. *Definitions.*—In this order, unless the context otherwise requires—

(a) 'Detenu' means any person being detained in Himachal Pradesh by an order passed under section 3

of the Preventive Detention Act, 1950;

(b) 'Jail' means any prison as defined in section 3 of the Prisons Act, 1894 (IX of 1894), and includes a Police lock-up or any place which has been declared by the State Government by the general or special order to be subsidiary jail;

(c) 'Superintendent' means the Superintendent of the Jail in which any detenu is detained, or in the case of a Police lock-up the Officer-in-charge of the Police Station in whose jurisdiction the lock-up is situated.

3. *Classification*.—The detenus shall be classified in two classes, viz., 'Special class' and 'Ordinary class'. All Members of the Parliament and Members of the Legislative Assembly shall be classified as 'Special class' and other detenus shall be classified as 'Ordinary class'.

4. *Ex-gratia Family Allowance*.—The State Government, after making such enquiry as it may deem fit, is satisfied that the detenu is the bread winner and his detention has substantially affected the means of subsistence of his family, may grant an *ex-gratia* family allowance to the detenu's family at the rate of 33-1/3 per cent of the income of the person detained:

Provided that the amount of such grant shall not be less than fifty rupees and more than one hundred rupees in any case.

5. *Accommodation*.—Detenus shall be kept in cells or association wards (preferably the later) when they are detained in jail, but in case they are detained in Police lock-ups they shall be kept in the lock-up separately from other persons but allowed to associate freely with each other if there are other detenus. The State Government, the Superintendent of Jail or the Superintendent of Police within whose jurisdiction the Police lock-up is situated, may confine any particular detenu or any particular class of detenus separately if this is considered desirable on any ground. The detenus may be allowed to sleep in the open during summer where such arrangement exist or can be made.

6. *Lock-up*.—The detenu shall not normally be locked up at night. However, if the Superintendent of Jail considers that it is expedient to do so in view of the suspicious character of the detenu he may lock-up the detenu during night and record reasons for doing so in his journal. The outer gate of the compound shall, however, remain locked up all the 24 hours.

7. *Diet*.—(1) Special class detenus shall be given a diet allowance of Rs. 2.75 and ordinary class Rs. 2.25 per day, respectively. They will run their own kitchen with the assistance of some staff. They shall be supplied articles stocked in jail for prisoners, but payment for the articles supplied will be made out of the separate account to be opened for the detenus. In addition they can get other articles through prison canteen. They may if they so like get articles of their choice from outside through a contractor to be approved by the Superintendent of Jail. The articles so purchased shall be examined by the later.

(2) The detenus lodged in the jails of Himachal Pradesh may be allowed by the Superintendent of Jail to supplement their requirements in the matter of food by receiving fruits (both fresh and dry) in reasonable quantity and pure ghee upto five seers per month from the relatives and friends at the time of interviews; provided that such allowed articles of diet shall be subject to examination by the Superintendent of Jail.

8. *Clothing and Bedding*.—Each detenu may wear his own clothes and his relations may, if so permitted by the Superintendent, send in extra clothes and bedding. A

detenu who is unable to provide himself with clothing and bedding, shall be supplied by the Superintendent on the scale given below, on the condition that he will not be permitted to use private bedding and clothes:—

Name of clothes	Special Class	Ordinary Class
<i>During all Seasons</i>		
Kurtas	4	4
Pyjama or Dhotis	4	4
Chaddars or bed-sheets	2	2
Covering sheets	2	2
Towels	2	2
Cotton durrie (7' x 4')	1	1
Tulai	1	1
Kachhas or Janghias	3	3
Bunians	2	1
Pugrees or caps	2	2
Pillow with two covers	1	1
Country-made shoes	1 pair	1 pair
Blanket	1	1

During Winter

(In addition to clothing and bedding provided during all seasons)

Sweater	1	1
Quilt	1	1
Woollen coat	1	1
Quilt cover	1	1
Woollen socks	2	2
	pairs	pairs

Notes.—(i) All detenus may be provided with English pattern shoes instead of country made shoes, if they so wish.

(ii) The Superintendent Jail shall make arrangements at Government expense for repairing shoes of the detenus for making them fit for use as and when necessary.

(iii) The Superintendent of Jail may issue necessary clothes to such deserving detenus as have no clothes of their own at the time of their release.

(iv) In case the detenu does not wish to wear jail clothes and cannot get clothes of his own, clothes can be made according to his specifications; provided the cost of clothing for summer and winter wear does not exceed the scale of clothing laid down for the class to which detenu belongs.

9. *Furniture*.—(1) Special class detenus shall be supplied with the following furniture:—

1. Charpoy	One
2. Wooden Chair	One
3. Wooden Teapoy	One
4. Writing Table	One
5. Shelf, Cupboard or Almirah	One
6. Mosquito net	One

In addition they will be at liberty to supplement it by other articles within reasonable limits at their own cost.

(2) Ordinary class detenus will also be provided the same furniture but they will not be allowed to supplement it.

(3) All detenus may also be provided with electric fans, wherever possible.

10. *Sundry Allowance*.—Special class detenus shall be paid a lump sum sundry allowance of Rs. 30 per mensem and ordinary class detenus of Rs. 10 per mensem for the purchase of toilet articles, washing material, smoking,

stationery etc. This allowance will be kept by the Superintendent of Jail and will not be allowed to accrue for more than two months. Unspent amount will not be payable to the detenus.

11. *Funds.*—(1) Special class detenus may receive from their relatives or friends at intervals of not less than a month funds not exceeding in the aggregate of Rs. 20 per mensem and ordinary class detenus Rs. 10 per mensem to enable them to supplement amenities of life. Special class detenus may apply to Government for higher allowance giving reasons in support of their requests.

(2) All funds so received shall be kept by the Superintendent of the Jail and spent by him on behalf of the detenus.

12. *Discipline and Searches.*—(1) Detenus shall for purposes of discipline be subject to such of the rules relating to civil prisoners as are not inconsistent with these orders or any other special orders passed by the State Government in this behalf.

(2) Every detenu and his cell or ward shall be searched not less than once a week and oftener if the Superintendent of Jail considers it necessary by the Deputy Superintendent or Assistant Superintendent as detailed by the Superintendent. Special precautions shall be taken to make the searches thorough and the fact of the search shall be noted in the Deputy Superintendent's or Assistant Superintendent's report book. Every detenu shall also be searched before and after interviews and at any other time if the Superintendent of Jail considers it necessary.

13. *Photographs and Finger Prints.*—The Superintendent of Police or any Police officer authorised by him in this behalf may take photographs and register finger prints of any detenu in jail.

14. *Interviews.*—(1) Every detenu irrespective of the class shall be allowed to interview his relatives once a week. The interview will be held in the presence and within the hearing of an officer of the jail and an officer deputed for the purpose by the Superintendent of Police of the district and will last for not more than one hour. A maximum of five persons not counting children below the age of 12 years shall be permitted during each interview.

(2) In addition every detenu shall be permitted to interview friends once a fortnight. The interview will last for half an hour and will be in the presence and within the hearing of a jail official, and an officer deputed for the purpose by the Superintendent of Police of the district.

(3) On an application by the detenu the Superintendent of the Jail may grant special interview with not more than two persons at a time on an *ad hoc* basis, in connection with the business/professional matters of the detenu or in the context of serious illness of the detenu or his relatives.

(4) Over and above the interviews specified in sub-paras (1) to (3), every detenu will be entitled to interview an advocate or legal practitioner of his choice, subject to the condition that the interview will be purely for purposes of any application the detenu may wish to make to a court of law or in connection with advice relating to matters which may be pending in a court of law in which a detenu is a party. Such an interview will be in the presence of a jail officer or Police officer but out of their hearing.

(5) The right to cancel any interview shall vest in the Superintendent of the Jail and shall not be questioned provided that the Superintendent shall make a confidential report to the State Government, through the Assistant Inspector General of Police (C.I.D.), giving reasons for the action taken.

(6) Interviews shall ordinarily take place on Thursday, but in special circumstances where the enforcement of this

rule would entail harshness the Superintendent is authorised to allow an interview to take place on any other day of the week. All cases in which a Superintendent employs his authority under this rule to allow an interview on a day other than Thursday shall be reported by him forthwith to the Assistant Inspector General, Criminal Investigation Department. Intimation of the date and time fixed for all interviews shall be given by the Superintendent not less than twelve hours in advance in order that arrangements may be made for the attendance of the officer referred to in sub-paragraphs (1), (2) and (4).

(7) A statement shall be maintained by the Superintendent of Jail of all interviews between a detenu and his relatives and friends with the names and addresses of the persons present at each interview.

(8) The Superintendent Jail, or the officer deputed by the Superintendent of Police of the district may stop the interview if the conversation turns on any undesirable subject such as party and political matters.

(9) *Police Interviews.*—Subject to the directions of the State Government the Inspector General of Police or the Assistant Inspector General of Police, Criminal Investigation Department, may, by general or special order, authorise any Police officer either singly or with an other Police officer, and accompanied or unaccompanied by subordinate Police officer to interview any detenu.

(10) The Police officers so authorised shall be allowed to interview detenu in their cells or wards on their making a written requisition to this effect at the time of interview. In visiting the cells or wards every Police officer shall be accompanied by such escort as the Superintendent of the Jail considers necessary for his safety. The escort if the Police officer so requires shall stand out of earshot, but within sight while he is speaking to any of the detenus.

(11) The Police officers so authorised shall be allowed to interview detenus in the ordinary interview room without a jail officer being present on making a written requisition to this effect.

Explanation.—For the purposes of this paragraph the expression "relatives" shall include father, mother, wife, husband, children, uncle and aunt, brother and sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law of the detenus.

15. *Correspondence and censorship.*—(1) Letters from a Legislator detenu to the or Speaker of the Legislature concerned and a communication from the or Speaker to that detenu as well as correspondence between a detenu and courts of law need not be censored and the same be forwarded directly by the Superintendent of Jail to the quarters concerned. All such letters should be sent by the Superintendent Jail within 24 hours of their receipt by him. The letters meant for the Legislature detenu received from the Legislative Secretariat and the letters from the court of law to any detenu should be delivered on the day these are received.

(2) Each detenu will be permitted to write four letters a week at Government expense excluding those referred to in sub-paragraph (1) and may receive any number of letters per week. All letters from detenus shall be written in Form 'B' annexed to these rules and shall not exceed the length prescribed. The necessary forms shall be supplied by Government.

(3) The Superintendent Jail, shall have the discretion to allow additional correspondence beyond the limitation prescribed in sub-paragraph (2) in case of absolute necessity and the Superintendent shall use his discretion in favour of the detenu whenever the detenu happens to be lodged in a jail away from his normal place of residence.

(4) In exercising censorship on letters, the jail authority should ensure that—

- (a) there is no cause for undue delay in transmission or delivery of letters;
- (b) the letters delivered or transmitted contain nothing which is prejudicial.

(5) The letters addressed by the State Government to the detenu and the reply thereto shall not be included for purposes of determining the number of letters exchanged by the detenu under these rules.

(6) All correspondence, addressed by a detenu to the Central Government or to a State Government, other than the State where he is detained, shall be routed through the State Government in which the detenu is detained. This shall not, however, apply to the correspondence mentioned in sub-paragraph (1).

(7) No letter, newspaper or other communication shall be transmitted to or from any detenu except through the Jail Superintendent or such other officer as the State Government by general or special order designate in this behalf.

(8) All letters to and from detenus detained in jails shall be persued by the Superintendent of the Jail concerned and subject to any special orders of the State Government shall be submitted by the Superintendent of the Jail, direct to the senior Police officer of the district concerned who may, at his discretion, either forward the letters without delay or withhold them. In case of doubt, the senior Police officer shall refer the matter to the Assistant Inspector General of Police, Criminal Investigation Department, or other officer designated by the Government in this behalf.

(9) If in any communication made by, or intended to be delivered to, a detenu, anything objectionable from the point of view of jail discipline is found by the Superintendent of the Jail he may delete the same or mark it for deletion and mention what has been done when forwarding such communication to the proper authority.

(10) Every letter forwarded to or from a detenu shall be initialled and dated by the officers who handled the letter.

(11) In all cases, in which a letter is withheld the detenu shall be informed through the Superintendent of the Jail concerned of the fact of the retention. All letters withheld shall be sent to the Assistant Inspector General of Police, Criminal Investigation Department or the other officer designated by Government in this behalf who may at his discretion either retain them or destroy them.

(12) The following procedure shall be followed with regard to the despatch of telegrams to and from detenus:—

When the telegram is to or from the State Government it shall be forwarded direct; provided that the State Government shall always be the intermediary in correspondence with the Central Government. It shall be the duty of the Superintendent Jail, to ensure that only telegrams the urgency of the contents of which justifies the use of telegraphic transmissions shall be despatched or received by detenus. The Superintendent may despatch any telegram from a detenu including a petition submitted in telegraphic form, by post instead of by telegram in any case where in his opinion the subject matter is not of sufficient urgency to justify transmission by telegraphs.

(13) Detenus shall attach to all their outgoing correspondence (including telegrams), a slip containing the full name and address and relationship if any, of the addressee, and of each person mentioned in the letter or telegram. These slips shall be sent to the Assistant Inspector General of Police, Criminal Investigation Department or other officer designated by Government in this behalf who, if he

considers that the writer should not be allowed to correspond with the addressee, shall inform the Superintendent of the Jail, or the officer concerned for his future guidance.

16. *Writing materials.*—(1) All detenus shall be supplied writing material at their own expense; provided that the supply of paper shall be subject to the following conditions—

- (i) it shall be supplied in small quantities at a time and shall before delivery to the detenu be numbered and jail stamp affixed to it; and
- (ii) an additional lot shall not be supplied unless the paper already supplied is produced and is found to have been properly used.

(2) Student detenus shall be provided with all facilities to prosecute their studies in jail.

(3) All detenus who desire to learn Hindi and Urdu shall be supplied at Government expense slates, pencils, *takhtis*, inkpots and pens during teaching hours.

17. *Examinations.*—Student detenus shall be allowed to appear in examinations.

18. *Offence and punishments.*—(1) A detenu—

- (i) shall reside in the accommodation allotted to him by the Superintendent whether in an association ward or a cell;
- (ii) shall not proceed beyond the limits of the jail save with the permission of the Superintendent given by general or special order in this behalf;
- (iii) shall obey the orders of the Superintendent issued from time to time for the comfort, safety and health, or for the discipline, orderly conduct and control of detenus;
- (iv) shall attend roll-call and answer to his name in person at such time and places within the jail as may be appointed by the Superintendent;
- (v) shall conform to the standards of cleanliness and dress laid down by the Superintendent;
- (vi) shall not do anything wilfully with the object of affecting his own bodily welfare;
- (vii) shall not have in his possession any coin, currency notes or negotiable instruments, and any weapons, sticks, razors, other than safety razor, pieces of iron or any other article which may be used as a weapon;
- (viii) shall not exchange or sell any of his kit, equipment, clothes, furniture or other possessions;
- (ix) shall not refuse to take the prescribed diet.

(2) Any detenu who contravenes any of the provisions of sub-paragraph (1) or refuses to obey any order issued thereunder, or does any of the following acts, namely:—

- (i) assaults, insults, threatens or obstructs any fellow prisoner, any officer of the jail or any other Government servant, or any person employed in or visiting the jail; or
- (ii) quarrels with any person in the jail; or
- (iii) is guilty of indecent, immoral or disorderly conduct; or
- (iv) communicates or attempts to communicate with any person outside the jail in an unauthorized manner; or
- (v) bribes or attempts to bribe any Government servant or any person employed in or visiting the jail; or
- (vi) commits any nuisance or wilfully defouls any well, latrine, washing or bathing place; or
- (vii) disobeys the orders of, or shows disrespect to, any officer of the jail; or
- (viii) wilfully damages any property belonging to Government or tempers with any locks, lamps or lights in the jail; or

- (ix) receives, possesses or transfers any article in contravention of an order of the Superintendent; or
 - (x) feigns illness; or
 - (xi) wilfully brings a false accusation against any officer of the jail or fellow prisoner; or
 - (xii) omits or refuses to report, as soon as it comes to his knowledge, the occurrence of any fire, any plot or conspiracy, any escape, attempt or preparation to escape and any attack or preparation for attack upon any officer of the jail; or
 - (xiii) abets the commission by fellow prisoners of the foregoing acts; or
 - (xiv) omits or refuses to help any officer of the jail in the case of an attempted escape on the part of any of his fellow prisoners or of any attack upon such officer or upon any of his fellow prisoners;
- shall be deemed to have committed a jail offence.

(3) (i) Whereupon such enquiry as he thinks fit to make the Superintendent is satisfied that a detenu is guilty of a jail offence, he may award the detenu one or more of the following punishments:—

- (a) Confinement in cells for a period not exceeding fourteen days.
- (b) Reduction or alteration of diet for a period not exceeding fourteen days.
- (c) Cancellation or reduction for a period not exceeding two months of the concession of receiving funds from outside.
- (d) Cancellation or reduction, for a period not exceeding two months of the privilege of writing and receiving letters or of receiving newspapers and books.
- (e) Cancellation or reduction for a period not exceeding two months of the privilege of having interviews.
- (f) Cancellation of the privilege of wearing his own clothes.
- (g) Cancellation of the privilege of charpoys.

(ii) If any detenu is guilty of a jail offence which by reason of his having frequently committed such offences or otherwise is in the opinion of the Superintendent not adequately punishable by him under sub-paragraph (3) (i), he may forward such detenu to the Court of a Magistrate of the first class having jurisdiction and such Magistrate shall thereupon inquire into and try the charge so brought against the detenu and upon conviction shall sentence him to imprisonment for a term not exceeding one year:

Provided that where the act constituting the offence constitutes an offence punishable under the Indian Penal Code with imprisonment for a term exceeding one year, nothing in this rule shall preclude the detenu from being tried and sentenced for such offence in accordance with the provisions of the Indian Penal Code.

19. *Watches.*—A detenu shall be allowed to keep either a wrist watch or a time piece at his own expense but no responsibility for their safety will be taken by the Government.

20. *Books and periodicals.*—(a) The following facilities may be made available at Government expenses:—

- (i) A detenu may be afforded library facilities wherever possible. The books, journals and newspapers provided in a library shall be subject to the approval of the Assistant Inspector General of Police, Criminal Investigation Department.
- (ii) One English and or one regional language newspaper for every 10 detenus by circulation. In case where the detenus knowing a particular language is below 10 they should be provided with the newspaper in that language at Government expense. The detenu may make a selection of the newspapers

he desires to read from a list of approved newspapers kept by the Superintendent Jail.

The list of approved newspapers and periodicals is at Appendix 'B'.

(b) The detenu may avail himself of the following facilities at his own expense:—

- (i) The detenu may obtain any book, journal or newspapers without limitation, as to number by making his own arrangements.
- (ii) All books and newspapers shall be transmitted to and from detenus by the senior Police officer of the district through the Superintendent of the Jail concerned. The senior Police officer may at his discretion withhold any newspapers or books. Translation of such books as have already been inspected and approved, shall be transmitted to detenus without further examination. In cases in which books or newspapers have been withheld a report shall be made to the Assistant Inspector General of Police, Criminal Investigation Department, or any other officer designated by Government in this behalf. The newspapers permitted by Government shall be handed over to the detenu without prior censorship. The names of the newspapers, periodicals and magazines, which have been approved by Government for detenus are shown in Appendix 'B'.
- (iii) In matters relating to the withholding of any book, journal, or newspaper, the detenus may, if not satisfied with the decision of the local authorities make representation through Superintendent Jail to the State Government whose decision shall be final.

21. *Recreation.*—Subject to the facilities available in the jail where the detenu is confined the detenu may be permitted to:—

- (a) have walks inside the compound where he is confined both in the morning and in the evening;
- (b) play games like badminton and volley ball etc;
- (c) play indoor games like chess, carom and cards.

Material for all games may be provided at the Government expenses. There is, however, no objection to a friend or relative providing material to the detenu for his recreation subject to the prior approval of the Superintendent of the Jail.

In the interest of discipline, the Superintendent of the Jail shall have full authority in withdrawing any facility that may be given for recreation purposes.

A detenu may be allowed to keep a gramophone and radio or transister of his own, provided the same is controlled by the Superintendent of the Jail and the detenu abides by the instructions of the Superintendent of the Jail in regard to the listening to any broadcasting that the Superintendent may consider prejudicial. In case of any breach of instructions of Superintendent Jail, in this regard, these facilities shall be withdrawn.

22. *Tasks.*—In no case should a detenu be assigned a task including physical labour unless he voluntarily expresses willingness in writing to undertake it.

In all cases where a task is assigned to the detenu's own request, appropriate remuneration should be paid and credited to the private funds of the detenu kept with the Superintendent Jail.

23. *Smoking.*—The detenus shall be allowed to smoke cigarettes at their own expense.

Detenus shall be allowed to keep *Hukkas* at their own expense.

24. *Railway Accommodation.*—All detenus shall be allowed to travel in the second class on transfer from one jail to another or on release on parole or otherwise.

25. *Place of detention.*—The detenus may be detained in any jail of Himachal Pradesh.

26. *Applications and representations.*—(i) Detenus shall submit their applications or representations to the State Government in duplicate. One copy of such application or representation shall be detained by the Superintendent of the Jail to deal with future references.

(ii) Superintendents of Jails shall withhold applications or representations addressed to the State Government by detenus which are couched in disrespectful or discourteous language.

27. *Medical facilities.*—Detenus will ordinarily be treated by the Medical Officer of the Jail. In cases where it is necessary to remove a detenu to a Civil Hospital outside the jail for operative or other special treatment which cannot conveniently be given in the jail itself, the orders of Government shall be obtained, through the Inspector-General of Prisons. In emergent cases, the Superintendent of Jail is authorised to anticipate the sanction of the State Government but he should make an immediate report of all cases in which he avails himself of the authority. The Superintendent of the Jail should ask the Superintendent of Police of the district in which the jail is situated to make arrangements for guarding these detenus during their stay in the hospital. For the purposes of jail discipline the Superintendent of the Jail shall depute a jail official to see that the provisions of the Himachal Pradesh Detenus (Conditions of Detention) Order, 1967, are properly observed. The detenu should also be provided with spectacles and denture etc., at Government expense if recommended by the Jail Medical Officer or Medical Specialist.

28. *Miscellaneous.*—All particulars relating to detenus shall be entered (without serial number) in the register of civil prisoners, and all statistics of detenus shall be shown separately in jail returns.

29. *History tickets.*—A history ticket shall be maintained for each detenu containing information applicable to prisoners in paragraphs 504 to 508 of the Punjab Jail Manual as applied to Himachal Pradesh. The history ticket shall be kept by the Superintendent and not by a convict official as laid down in paragraph 508.

30. *These orders to be shown to detenus.*—The Himachal Pradesh Detenus (Conditions of Detention) Order, 1967, shall be shown to the detenus on their arrival in the jail.

31. *Power to issue instructions.*—Such other local instructions as may be necessary for the guidance of the jail officers may be issued by the Inspector General of Prisons or the Officer-in-charge of prison in Himachal Pradesh with the approval of the State Government.

32. *When Delhi Detenus (Revised) Rules, 1950, to apply.*—When a detenu is removed or brought to Delhi in connection with his habeas corpus petition he shall be subject to the Delhi Detenus (Revised) Rules, 1950, as regards place of detention, maintenance, discipline and punishment for breaches of discipline for the period he remains confined in the Delhi Jail.

33. *Repeal and Saving.*—The Punjab Detenus (Conditions of Detention) Order, 1966 issued by the erstwhile Punjab Government and published in the Punjab Government Gazette Extraordinary, dated the 1st March, 1966, as applicable in areas transferred to Himachal Pradesh under the Punjab Re-organisation Act, 1966, is hereby repealed:

Provided that the repeal of the said order shall not affect its previous operation or anything done thereunder

in the aforesaid transferred areas.

APPENDIX 'A'

(See para 14)

Application for Interview

Particulars to be furnished by persons desiring to interview a detenu:

Name of the detenu to be interviewed

Name of applicant

Relationship of applicant to detenu

Full address of applicant

Purpose for which interview is desired

Date on which interview is desired

Dated

(Signature of applicant)

a.m.

Hours

p.m.

FORM 'B'

(See para 15)

Full name of sender

Full name, address and relationship of addressee and of any other person mentioned in the letter

To be detached here

Jail.

Signature of Censoring Officer. Date. Name of sender.

APPENDIX 'B'

(See para 20)

Newspapers, periodicals and magazines which are supplied to detenus confined in the Himachal Pradesh jails at Government expense:—

		Dailies
English	..	1. Tribune 2. The Hindustan Times 3. The Indian Express 4. Patriot
Hindi	..	1. Hindi Milap 2. Vir Partap
Punjabi	..	1. Ajit, Jullundur 2. Akali Patrika, Jullundur
Urdu	..	1. The Milap Jullundur 2. The Partap, New Delhi 3. The Partap, Jullundur

- (ix) receives, possesses or transfers any article in contravention of an order of the Superintendent; or
 - (x) feigns illness; or
 - (xi) wilfully brings a false accusation against any officer of the jail or fellow prisoner; or
 - (xii) omits or refuses to report, as soon as it comes to his knowledge, the occurrence of any fire, any plot or conspiracy, any escape, attempt or preparation to escape and any attack or preparation for attack upon any officer of the jail; or
 - (xiii) abets the commission by fellow prisoners of the foregoing acts; or
 - (xiv) omits or refuses to help any officer of the jail in the case of an attempted escape on the part of any of his fellow prisoners or of any attack upon such officer or upon any of his fellow prisoners;
- shall be deemed to have committed a jail offence.

(3) (i) Whereupon such enquiry as he thinks fit to make the Superintendent is satisfied that a detenu is guilty of a jail offence, he may award the detenu one or more of the following punishments:—

- (a) Confinement in cells for a period not exceeding fourteen days.
- (b) Reduction or alteration of diet for a period not exceeding fourteen days.
- (c) Cancellation or reduction for a period not exceeding two months of the concession of receiving funds from outside.
- (d) Cancellation or reduction, for a period not exceeding two months of the privilege of writing and receiving letters or of receiving newspapers and books.
- (e) Cancellation or reduction for a period not exceeding two months of the privilege of having interviews.
- (f) Cancellation of the privilege of wearing his own clothes.
- (g) Cancellation of the privilege of charpoys.

(ii) If any detenu is guilty of a jail offence which by reason of his having frequently committed such offences or otherwise is in the opinion of the Superintendent not adequately punishable by him under sub-paragraph (3) (i), he may forward such detenu to the Court of a Magistrate of the first class having jurisdiction and such Magistrate shall thereupon inquire into and try the charge so brought against the detenu and upon conviction shall sentence him to imprisonment for a term not exceeding one year:

Provided that where the act constituting the offence constitutes an offence punishable under the Indian Penal Code with imprisonment for a term exceeding one year, nothing in this rule shall preclude the detenu from being tried and sentenced for such offence in accordance with the provisions of the Indian Penal Code.

19. *Watches*.—A detenu shall be allowed to keep either a wrist watch or a time piece at his own expense but no responsibility for their safety will be taken by the Government.

20. *Books and periodicals*.—(a) The following facilities may be made available at Government expenses:—

- (i) A detenu may be afforded library facilities wherever possible. The books, journals and newspapers provided in a library shall be subject to the approval of the Assistant Inspector General of Police, Criminal Investigation Department.
- (ii) One English and or one regional language newspaper for every 10 detenus by circulation. In case where the detenus knowing a particular language is below 10 they should be provided with the newspaper in that language at Government expense. The detenu may make a selection of the newspapers

he desires to read from a list of approved newspapers kept by the Superintendent Jail.

The list of approved newspapers and periodicals is at Appendix 'B'.

(b) The detenu may avail himself of the following facilities at his own expense:—

- (i) The detenu may obtain any book, journal or newspapers without limitation, as to number by making his own arrangements.
- (ii) All books and newspapers shall be transmitted to and from detenus by the senior Police officer of the district through the Superintendent of the Jail concerned. The senior Police officer may at his discretion withhold any newspapers or books. Translation of such books as have already been inspected and approved, shall be transmitted to detenus without further examination. In cases in which books or newspapers have been withheld a report shall be made to the Assistant Inspector General of Police, Criminal Investigation Department, or any other officer designated by Government in this behalf. The newspapers permitted by Government shall be handed over to the detenu without prior censorship. The names of the newspapers, periodicals and magazines, which have been approved by Government for detenus are shown in Appendix 'B'.
- (iii) In matters relating to the withholding of any book, journal, or newspaper, the detenus may, if not satisfied with the decision of the local authorities make representation through Superintendent Jail to the State Government whose decision shall be final.

21. *Recreation*.—Subject to the facilities available in the jail where the detenu is confined the detenu may be permitted to:—

- (a) have walks inside the compound where he is confined both in the morning and in the evening;
- (b) play games like badminton and volley ball etc;
- (c) play indoor games like chess, carom and cards.

Material for all games may be provided at the Government expenses. There is, however, no objection to a friend or relative providing material to the detenu for his recreation subject to the prior approval of the Superintendent of the Jail.

In the interest of discipline, the Superintendent of the Jail shall have full authority in withdrawing any facility that may be given for recreation purposes.

A detenu may be allowed to keep a gramophone and radio or transistor of his own, provided the same is controlled by the Superintendent of the Jail and the detenu abides by the instructions of the Superintendent of the Jail in regard to the listening to any broadcasting that the Superintendent may consider prejudicial. In case of any breach of instructions of Superintendent Jail, in this regard, these facilities shall be withdrawn.

22. *Tasks*.—In no case should a detenu be assigned a task including physical labour unless he voluntarily expresses willingness in writing to undertake it.

In all cases where a task is assigned to the detenu's own request, appropriate remuneration should be paid and credited to the private funds of the detenu kept with the Superintendent Jail.

23. *Smoking*.—The detenus shall be allowed to smoke cigarettes at their own expense.

Detenus shall be allowed to keep *Hukkas* at their own expense.

24. *Railway Accommodation*.—All detenus shall be allowed to travel in the second class on transfer from one jail to another or on release on parole or otherwise.

25. *Place of detention.*—The detenus may be detained in any jail of Himachal Pradesh.

26. *Applications and representations.*—(i) Detenus shall submit their applications or representations to the State Government in duplicate. One copy of such application or representation shall be retained by the Superintendent of the Jail to deal with future references.

(ii) Superintendents of Jails shall withhold applications or representations addressed to the State Government by detenus which are couched in disrespectful or discourteous language.

27. *Medical facilities.*—Detenus will ordinarily be treated by the Medical Officer of the Jail. In cases where it is necessary to remove a detenu to a Civil Hospital outside the jail for operative or other special treatment which cannot conveniently be given in the jail itself, the orders of Government shall be obtained, through the Inspector-General of Prisons. In emergent cases, the Superintendent of Jail is authorised to anticipate the sanction of the State Government but he should make an immediate report of all cases in which he avails himself of the authority. The Superintendent of the Jail should ask the Superintendent of Police of the district in which the jail is situated to make arrangements for guarding these detenus during their stay in the hospital. For the purposes of jail discipline the Superintendent of the Jail shall depute a jail official to see that the provisions of the Himachal Pradesh Detenus (Conditions of Detention) Order, 1967, are properly observed. The detenu should also be provided with spectacles and denture etc., at Government expense if recommended by the Jail Medical Officer or Medical Specialist.

28. *Miscellaneous.*—All particulars relating to detenus shall be entered (without serial number) in the register of civil prisoners, and all statistics of detenus shall be shown separately in jail returns.

29. *History tickets.*—A history ticket shall be maintained for each detenu containing information applicable to prisoners in paragraphs 504 to 508 of the Punjab Jail Manual as applied to Himachal Pradesh. The history ticket shall be kept by the Superintendent and not by a convict official as laid down in paragraph 508.

30. *These orders to be shown to detenus.*—The Himachal Pradesh Detenus (Conditions of Detention) Order, 1967, shall be shown to the detenus on their arrival in the jail.

31. *Power to issue instructions.*—Such other local instructions as may be necessary for the guidance of the jail officers may be issued by the Inspector General of Prisons or the Officer-in-charge of prison in Himachal Pradesh with the approval of the State Government.

32. *When Delhi Detenus (Revised) Rules, 1950, to apply.*—When a detenu is removed or brought to Delhi in connection with his habeas corpus petition he shall be subject to the Delhi Detenus (Revised) Rules, 1950, as regards place of detention, maintenance, discipline and punishment for breaches of discipline for the period he remains confined in the Delhi Jail.

33. *Repeal and Saving.*—The Punjab Detenus (Conditions of Detention) Order, 1966 issued by the erstwhile Punjab Government and published in the Punjab Government Gazette Extraordinary, dated the 1st March, 1966, as applicable in areas transferred to Himachal Pradesh under the Punjab Re-organisation Act, 1966, is hereby repealed:

Provided that the repeal of the said order shall not affect its previous operation or anything done thereunder

in the aforesaid transferred areas.

APPENDIX 'A'

(See para 14)

Application for Interview

Particulars to be furnished by persons desiring to interview a detenu:

Name of the detenu to be interviewed

Name of applicant

Relationship of applicant to detenu

Full address of applicant

Purpose for which interview is desired

Date on which interview is desired

Dated

(Signature of applicant)

a.m.

Hours

p.m.

FORM 'B'

(See para 15)

Full name of sender

Full name, address and relationship of addressee and of any other person mentioned in the letter

To be detached here

Jail.

Signature of Censoring Officer. Date. Name of sender.

APPENDIX 'B'

(See para 20)

Newspapers, periodicals and magazines which are supplied to detenus confined in the Himachal Pradesh jails at Government expense:—

		Dailies
English	..	1. Tribune 2. The Hindustan Times 3. The Indian Express 4. Patriot
Hindi	..	1. Hindi Milap 2. Vir Partap
Punjabi	..	1. Ajit, Jullundur 2. Akali Patrika, Jullundur
Urdu	..	1. The Milap Jullundur 2. The Partap, New Delhi 3. The Partap, Jullundur

	Weeklies
English	.. 1. Illustrated Weekly of India 2. Shankar's Weekly
Hindi	.. 1. Dharamyug
Punjabi	.. 1. Mel Milap, Chandigarh
Urdu	.. 1. The Asia, Delhi
	2. Newspapers, periodicals and magazines which detenus are allowed at their own expenses:—
English	.. 1. Times of India 2. Statesman 3. Economic Reveiw 4. Advance 5. Reader's Digest
Hindi	.. 1. Nav Bharat Times 2. Hindustan Saptahik 3. Jagriti 4. Panchayati Raj 5. Nav-Neet
Punjabi	... 1. Ranjit, Patiala 2. Fateh, Delhi 3. Jagriti 4. Kanwal 5. Pritam, Delhi
Urdu	.. 1. The Tej, Delhi 2. The Parcham-i-Hind 3. The Jagat 4. The Pasban, Chandigarh 5. The Shamma, New Delhi-1.
	N. M. MAJMUDAR, Joint Secretary (Home) to the Government of Himachal Pradesh.

No. 14-13/62-Home. Dated Simla-2, the 6th July, 1967
A COPY with 30 spare copies of the Himachal Pradesh Detenus (Conditions of Detention) Order, 1967, is forwarded to the Inspector-General of Prisons, Himachal Pradesh, Simla, for distribution amongst all the Superintendents of Jails in Himachal Pradesh.

By order,
N. M. MAJMUDAR,
Joint Secretary (Home)
to the Government of Himachal Pradesh.

No. 14-13/62-Home, dated Simla-2, the 6th July, 1967
A COPY with 30 spare copies of the Himachal Pradesh Detenus (Conditions of Detention) Order, 1967, is forwarded to the Inspector General of Police, Himachal Pradesh, Simla, and the Assistant Inspector General of Police, Criminal Investigation Department, for distribution amongst the subordinate staff.

By order,
N. M. MAJMUDAR,
Joint Secretary (Home)
to the Government of Himachal Pradesh.

No. 14-13/62-Home, Dated Simla-2, the 6th July, 1967
A COPY is forwarded to—
All District Magistrates in Himachal Pradesh for information.

By order,
N. M. MAJMUDAR,
Joint Secretary (Home)
to the Government of Himachal Pradesh.

HIMACHAL PRADESH GOVERNMENT HOME (JAILS) DEPARTMENT ORDER

Simla-the 6th July, 1967

No. 14-13/62 Home.—In exercise of the powers conferred by section 4 of the Preventive Detention Act, 1950 (Act 4 of 1950), the Lieutenant Governor, Himachal Pradesh, is pleased to specify as a general order that any person arrested under section 3 of the said Act by the State Government or on the direction of any authority shall be detained in a Police lock-up or committed to the custody of Inspector General Prisons, Himachal Pradesh for being kept in any jail in Himachal Pradesh, subject to the conditions as to maintenance/discipline and punishment for breaches of discipline specified in the Himachal Pradesh Detenus (Conditions of Detention) Order, 1967.

N. M. MAJMUDAR,
Joint Secretary (Home)
to the Government of Himachal Pradesh.

भाग ४—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायत विभाग

शून्य

भाग ५—वैयक्तिक अधिसूचनाएं और विज्ञापन

"I Premo (PREMO) s/o Shri Paras Ram of Mahlag (MAHLAG) have changed my name to Manohar Lal"

MANOHAR LAL
A.L.M.

Department of M.P. and Power,
Himachal Pradesh, Bawasna, Kangra District.

भाग ६—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

शून्य

भाग ७—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

शून्य